

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

MARIBEL RUIZ,

Plaintiff,

v.

CAUSE NO.: 1:20-CV-70-HAB-SLC

RUBY TUESDAY, INC.

Defendant.

OPINION AND ORDER

On February 11, 2020, Plaintiff, by counsel, filed a Complaint with Jury Demand alleging race and/or national origin discrimination against the Defendant. (ECF No. 1). Since that time, service has been made on the Defendant, Defendant has failed to answer or otherwise defend the suit, and the Plaintiff has taken no further action to prosecute the case. For this reason, on January 8, 2021, the Magistrate Judge issued an Order indicating that pursuant to N.D. Ind. L.R. 41-1, this Court may dismiss a civil case if: “(a) no activity has occurred in the case for six months; (b) the court or clerk has notified the parties that the case will be dismissed for failure to prosecute it; and (c) at least 28 days have passed since the notice was given.” (ECF No. 8). The Order further advised that Plaintiff had until February 8, 2021, to make a filing showing good cause for not taking any action against the Defendant in this case. Plaintiff has made no such filing. Accordingly, the case is DISMISSED and the CLERK is DIRECTED to enter judgment in favor of the Defendant.

SO ORDERED on February 16, 2021.

s/ Holly A. Brady

JUDGE HOLLY A. BRADY
UNITED STATES DISTRICT COURT